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MITIGATED NEGATIVE DECLARATION

Date of Publication of Preliminary Negative Declaration: November 9, 2002

Lead Agency: Planning Department, City and County of San Francisco
1660 Mission Street, San Francisco, CA 94103
Agency Contact Person: Tim Blomgren **Telephone:** (415) 558-5979

Project Title: 2001.0283E: Construction of religious/educational conference facility;
Project Sponsor/Contact: Twan Chang
Joseph Chow
Telephone: (415) 777-1288

Project Address: 380-386 Ellis Street
Assessor's Block and Lot: Block 324, Lot 11
City and County: San Francisco

5/S

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100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK
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ıber(s), if Applicable: Not Applicable

HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding Guidelines of the State Secretary for Resources, Sections 15064 (Determining atory Findings of Significance), and 15070 (Decision to Prepare a Negative sons as documented in the Initial Evaluation (Initial Study) for the project, which

-Continued-

d in this project to avoid potentially significant effects: See pages 19 -20.

pted and issued on December 5, 2002.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

Paul Maltzer
Environmental Review Officer

cc: Joseph Chow, Project Sponsor
Michael Li, SE Quadrant
O. Chavez / Bulletin Board
L. Fernandez / Master Decision File

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Project Sponsor/Contact:	Twan Chang Joseph Chow
Telephone:	(415) 777-1288
Project Address:	380-386 Ellis Street
Assessor's Block and Lot:	Block 324, Lot 11
City and County:	San Francisco

Project Description: The proposed project would entail the construction of an eight-story, 80-foot-high, religious/educational conference building with group housing. The site is located at 380 Ellis Street (Assessor's Block 324, Lot 11), near the northeast corner of Ellis and Jones Streets. The site is currently occupied by a religious/educational conference facility in a one-story 3733-square-foot unreinforced masonry building (UMB), which would be demolished. The total floor area of the new building would be approximately 34,000-gross-square-feet and would contain an assembly area, a ceremony space, and 53 group-housing units. The building would have an eight-space, basement level garage which would be accessed via a car lift from an entrance on Ellis Street. The project site is approximately 4,735 square feet in area. It is located in a Residential-Commercial Combined District, High Density (RC-4) Zoning District, the North of Market Residential Special Use District, and an 80-130-T Height/Bulk District. The project would require conditional use authorization for having a height greater than forty feet in a residential zone.

Building Permit Application Number(s), if Applicable: Not Applicable

THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.

-Continued-

Mitigation measures, if any, included in this project to avoid potentially significant effects: See pages 19 -20.

Mitigated Negative Declaration adopted and issued on December 5, 2002.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

Paul Maltzer
Environmental Review Officer

cc: Joseph Chow, Project Sponsor
Michael Li, SE Quadrant
O. Chavez / Bulletin Board
L. Fernandez / Master Decision File

PROJECT DESCRIPTION

The proposed project would entail the construction of an eight-story, 80-foot-high, religious/educational conference building with group housing. The site is located at 380 Ellis Street (See Figure 1—Project Location; p. 3). The site is near the northeast corner of Ellis and Jones Street. The site is currently occupied by a religious/educational conference facility in a one-story 3,733-square-foot unreinforced masonry building (UMB), which would be demolished. The existing building has no off-street parking or loading facilities. The total floor area of the new building would be approximately 34,000 gross square feet and would contain an assembly area, a ceremony space, and 53 group housing units. The building would have an eight-space, basement-level garage which would be accessed via a car lift from an entrance on Ellis Street (See Figure 2, Site Plan, p. 4; Figure 3, Basement Level Garage, p. 5; Figure 4, South Elevation [Ellis Street], p. 6). The loading function would occur in the basement-level garage with the goods accessing the building via the elevator. The project site is approximately 4,735 square feet in area and is generally level. The project site is located in a Residential-Commercial Combined District, High Density (RC-4) Zoning District, the North of Market Residential Special Use District, and an 80-130-T Height/Bulk District. The project would require a variance for a parking shortfall and conditional use authorization for having a height greater than 40 feet in a residential zone.

PROJECT SETTING

Surrounding land uses are primarily a mixture of one- to thirteen-story commercial, residential, religious, and social service buildings. Most of the residential units in the area are found in either residential hotels or apartment buildings. All of the buildings on the north side of Ellis Street are located in an RC-4 Zoning District. Immediately to the east of the project site is a five-story residential hotel that has a grocery store on the first story. To the north is a seven-story apartment building that fronts on Jones Street. To the west of the project site is a six-story apartment building with a laundromat/dry cleaner at the first story. Other uses on the north side of Ellis Street include a thirteen-story public housing building, apartment buildings, and Glide Memorial Methodist Church (See Figure 5—300 Block of Ellis Street Elevations, p. 7). Across Ellis Street to the south is a six-story residential hotel, a single-story storage building, and a five-story residential hotel; all of which are also in an RC-4 Zoning District. Also on the south side of the street approximately one half of a block to the east is Boeddecker Park which is located in a P (Public) Zoning District.

A. COMPATIBILITY WITH EXISTING ZONING AND PLANS	Applicable	Discussed
1) Discuss any variances, special authorizations, or changes proposed to the City Planning Code or Zoning Map, if applicable.	—	X
2) Discuss any conflicts with any adopted environmental plans and goals of the City or Region, if applicable.	—	X

The Planning Code, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the Code, or an exception is granted pursuant to provisions of the Code.

The Department of Building Inspection would require a building permit for the proposed project because it would involve demolishing the existing building and constructing a new building on the project site. The project sponsor would seek Conditional Use Authorization for a setback for a building exceeding 40 feet in height in the North of Market Residential Special Use District. As stated earlier, the site is located in an

Figure 1: Project Location

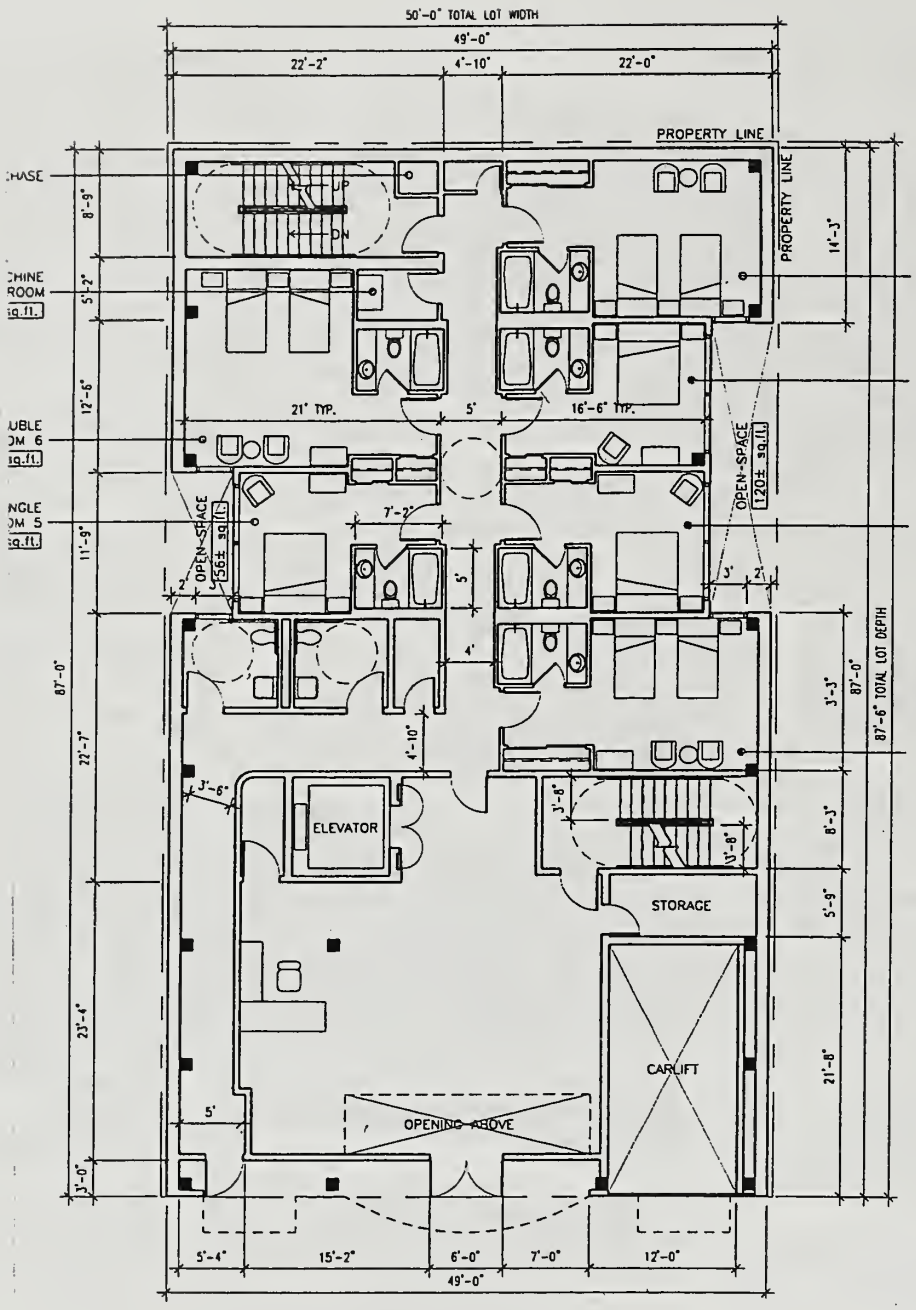
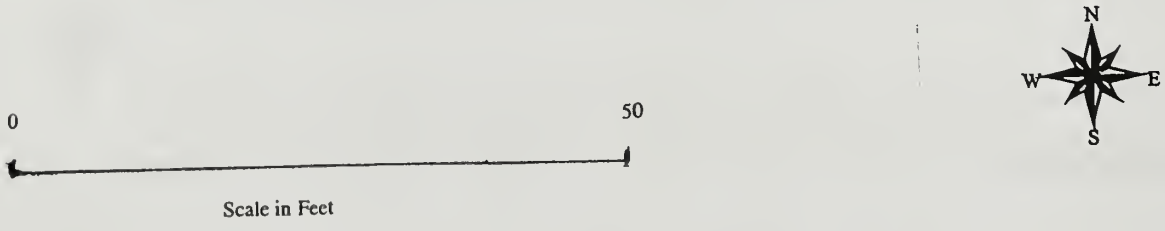


Figure 2—Site Plan

Source: Joseph Chow & Associates, Inc.



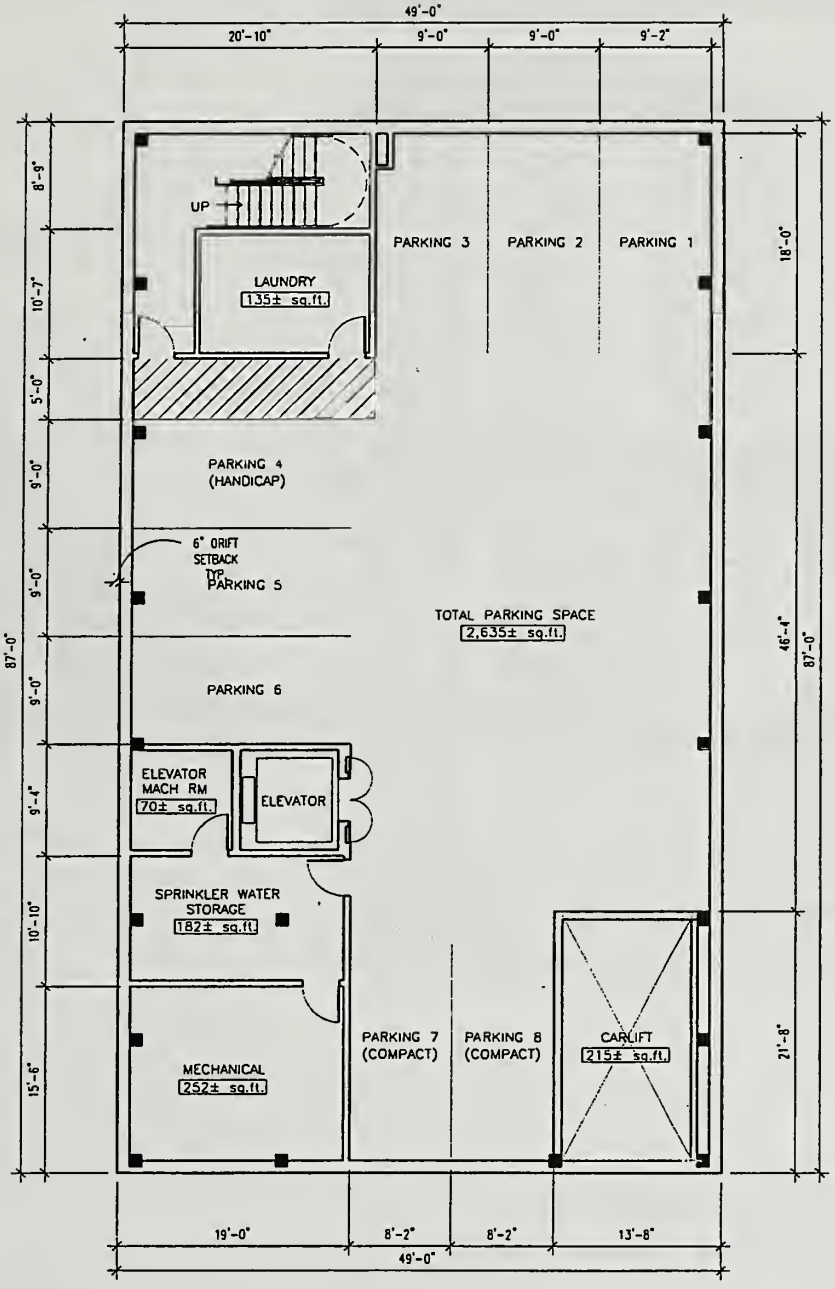


Figure 3—Basement Level Garage
Source: Joseph Chow & Associates, Inc.

0 50

Scale in Feet

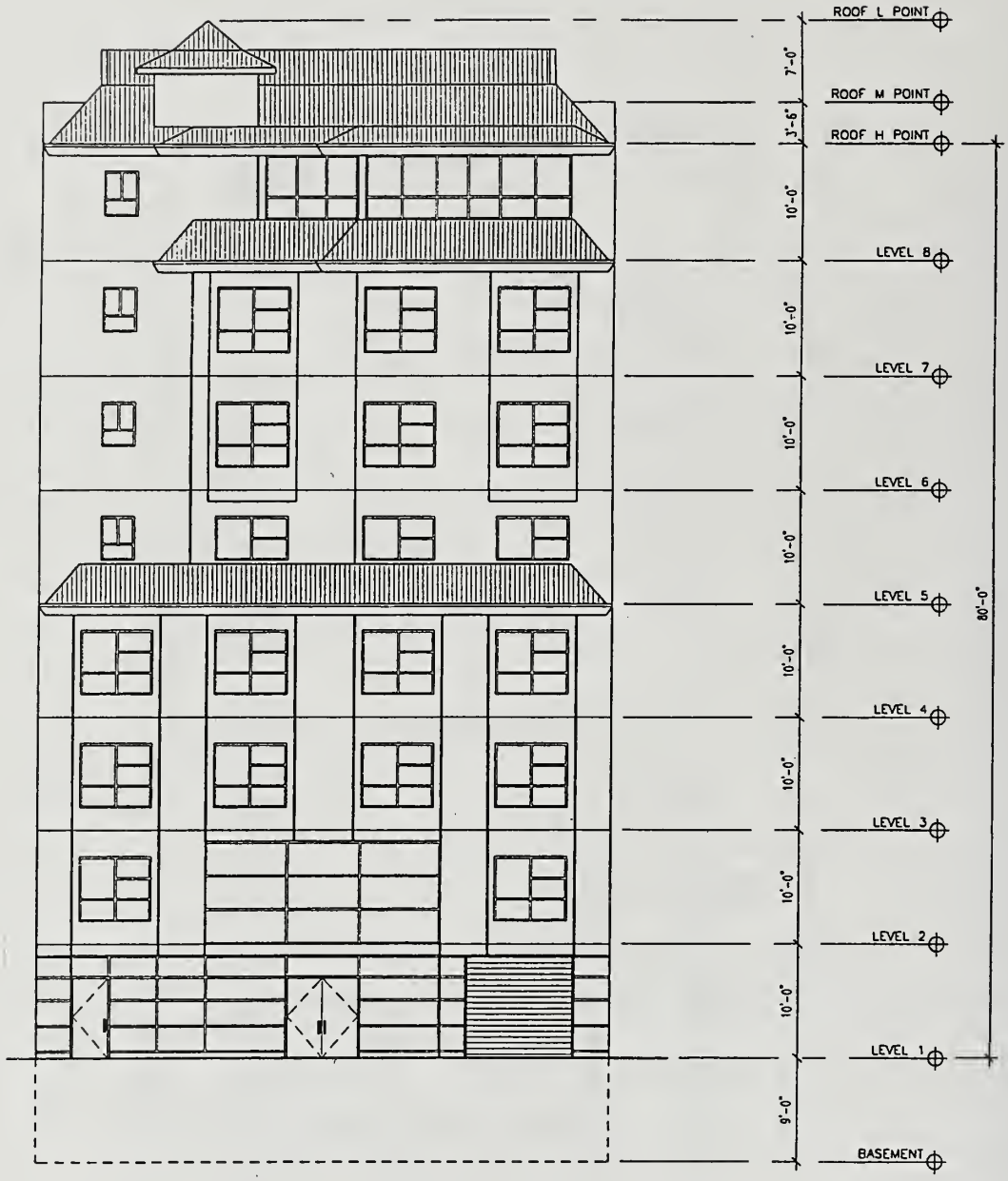
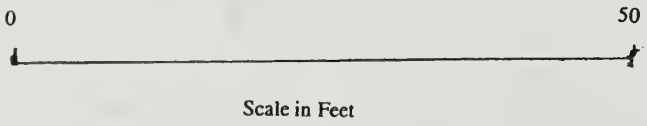


Figure 4—South Elevation (Ellis Street)

Source: Joseph Chow & Associates, Inc.



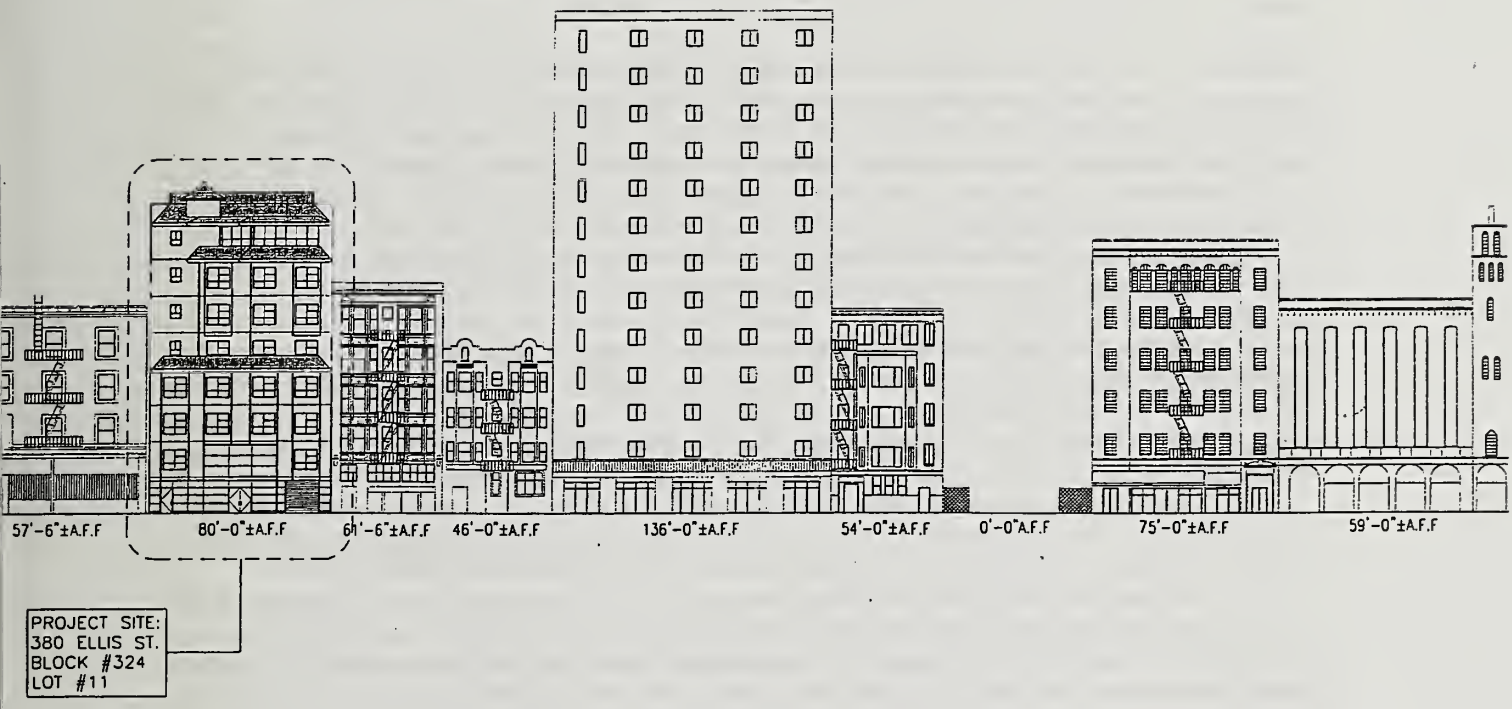


Figure 5—300 Block of Ellis Street Elevations

Not to Scale

RC-4 Zoning District and an 80-130-T Height/Bulk District. Figure 4 (South Elevation) shows that the height of the proposed building would be 80 feet.

Environmental plans and policies are those, like the Bay Area Air Quality Plan, which directly address environmental issues and/or contain targets or standards which must be met in order to preserve or improve characteristics of the City's physical environment. The current proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

The City's General Plan, which provides general policies and objectives to guide land use decisions, contains some policies which relate to physical environmental issues. The current project would not obviously or substantially conflict with any such policy. In general, potential conflicts with the General Plan are considered by decision makers independently of the environmental review process, as part of the decision whether to approve or disapprove a proposed project. Any potential conflict not identified here could be considered in that context, and would not alter the physical environmental effects of the proposed project.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the City Planning Code to establish eight Priority Policies. These policies are: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character; preservation and enhancement of affordable housing; discouragement of commuter automobiles; protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; maximization of earthquake preparedness; landmark and historic building preservation; and protection of open space. Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the General Plan, the City is required to find that the proposed project or legislation is consistent with the Priority Policies.

The project would be located in an RC-4 Zoning District within which group housing is permitted. According to Section 209.2(b) of the San Francisco Planning Code, group housing is defined as, "...providing both meals, lodging, without cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space where such housing is for a religious order calling for the collective work or worship and is not...a religious institution as defined and regulated by Section 209.3(j)..." The project would satisfy Planning Section 209.2(b) of the code as it would consist of 53 guest rooms and meals would be prepared in a fifth floor pantry and would be served in an assembly area. Individuals who would be attending programs at the proposed building would be members of the I-Kuan-Tao religion and they would be staying for 10 to 15 days.[1] People who would attend these I-Kuan-Tao assemblies or participate in the Scholarship Opportunities Across the Republic (SOAR) program would be there for religious or academic study instead of for worship services. As such, the project would not be considered a religious institution as defined and regulated by Section 209.3(j) of the Planning Code.

In addition, the proposed building would also be used to house the SOAR program. The SOAR program is a continuing education exchange program for individuals from Asia who come to the United States to obtain advanced degrees. The SOAR program is in keeping with the definition of group housing contained in Section 209.2(c) of the Planning Code. Section 209.2(c) of the Planning Code is similar to Section 209.2(b) as it also defines group housing as providing prearranged lodging for six or more individual without individual cooking facilities for a week or more at a time. Section 209.2(c) differs from Section 209.2(b) in that the facility is operated by or is affiliated with a medical or educational institution. The SOAR program would be considered an educational institution and its participants would stay for 11 weeks. Therefore, the code definition of group housing would be applicable and as such, the project would be permitted in an RC-4 Zoning District.

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[1]Letter from Joseph Chow, Joseph Chow and Associates, to Kelley LeBlanc, San Francisco Planning Department, July 18, 2001

The project would be also located in a North of Market Residential Special Use District (RSUD). According to Planning Code 249.5(c)(4)(A), hotels, inns, hostels, or motels are not permitted in the North of Market RSUD. Section 314.1(g) defines a "hotel" as a building containing six or more guest rooms which are used, rented, or hired out and are occupied. As these guest rooms would be used for individuals attending sessions instead of by individuals renting them, this project would be in conformance with the requirements of the North of Market RSUD.

The project site is located in an 80-130-T Height/Bulk District. Section 263.7 of the Planning Code states that building heights higher than 80 feet within the 80-130-T Height/Bulk District would be subject to a fee payable to the North of Market Affordable Housing Fund. As the proposed building would be 80 feet in height, the fee would not be required. However, Section 253 requires that if a building is to be located in an R district and is to have a height greater than 40 feet, Conditional Use Authorization would be required. Therefore, the project would require Conditional Use Authorization.

Planning Code Table 270 (Bulk Limits) states that for the T Height and Bulk Districts, the Maximum Plan Dimension would be a length of 110 feet and a diagonal dimension of 125 feet. Table 270 also states that the Maximum Plan Dimension would be applicable at the setback height established pursuant to Section 132.2, but no higher than 80 feet. Section 132.2(c) of the Planning Code states that in order to maintain the continuity of the prevailing streetwall within the North of Market RSUD, a setback may be imposed by the Planning Commission as a condition of approval for a building in excess of 40 feet in height. As this building would be 80 feet in height and in the North of Market RSUD, this code section would be applicable to the project. The proposed project would have a 12-foot 4-inch front setback starting at the fifty-foot level. The Planning Commission would make the final determination whether this setback is adequate based on characteristics of the buildings adjacent to the project.

Planning Code Table 208 (Maximum Density for Group Housing) states that 70 square feet of lot area would be required per bedroom of group housing within a RC-4 zone. As stated earlier, the project would be built on a 4,375-square-foot lot. Since this project would have 53 bedrooms, the project would have a density of approximately 82 square feet of lot area per bedroom, thus meeting the maximum density requirements for group housing.

POTENTIAL ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist included below have been checked "No", indicating that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect. Several of those Checklist items have also been checked "Discussed", indicating that the Initial Study text includes discussion about these particular issues. For all of the items checked "No", without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Department, such as the Department's Transportation Guidelines For Environmental Review, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game.

(1) **Land Use**. Could the project:

		Yes	No	Discussed
(a)	Disrupt or divide the physical arrangement of an established community?	__	X	X
(b)	Have any substantial impact upon the existing character of the vicinity?	__	X	X

The project site is in San Francisco's Tenderloin neighborhood in the Downtown/Civic Center area. The block of Ellis Street on which the project site is located has a variety of building forms that support residential, social service, religious, and commercial uses. Land uses in the general vicinity include residential, commercial, residential hotel, and tourist hotel uses as well.

The proposal would constitute a change in land use on the project site from a single-story, 3,733-square-foot Unreinforced Masonry Building (UMB) to a new eight-story, 34,000-square-foot building. The existing building contains a conference/training center for the I-Kuan-Tao members and SOAR program students. The proposed building would approximately double the assembly/ceremony space for these groups to 7,700 gross square feet. The new building would also include 53 guest rooms and eight parking spaces. Although the project would double the amount of assembly/ceremony space and introduces guest room and parking uses to the site, this change in land use would not in and of itself constitute a significant environmental impact given the urban character of the setting and the predominance of residential and social service uses in the area. Approval of the proposed project would result in an intensification of use on the site, the specific impacts of which are discussed below under relevant topic headings.

The proposed project would entail the expansion of this use by demolishing the existing building. Like the existing use, it is anticipated that the proposed expanded land use would not conflict with the surrounding neighborhood. In addition, as the same uses would exist as does now, the proposed project would not disrupt or divide the neighborhood. Thereby, the existing character of Eddy Street would be preserved, and no significant land use impact would occur.

2) **Visual Quality**. Could the project:

		Yes	No	Discussed
(a)	Have a substantial, demonstrable negative aesthetic effect?	_	X	X
(b)	Substantially degrade or obstruct any scenic view or vista now observed from public areas?	_	X	X
(c)	Generate obtrusive light or glare substantially impacting other properties?	_	X	X

Building heights in the immediate area vary from one to thirteen stories, about 15 to 136 feet in height. The proposed building would have eight stories and extend to a height of approximately eighty feet, compared to the one-story existing building on the project site with a height of approximately 19 feet. While noticeable as a visual change to those most familiar with the area, the project would not be inconsistent with the size and character of the structures in the general vicinity, and therefore would not have a significant visual impact. Although the roof of the proposed development would be up to twenty feet taller than the six-story apartment building to east, the project building is designed so that the parapet of the fourth floor of the proposed development would be lower than the parapet of the adjacent structure. The building façade would be designed to minimize the height of the building by giving the illusion of multiple roof levels. That is, the façade of the proposed building would appear less visually imposing vis-à-vis the neighboring structures. The proposed building height would be in keeping with the predominantly five- to seven-story development along the north side of Ellis Street (see Figure 5: 300 Block of Eddy Street Elevations, p. 7). Although the proposed building would be blocking views from the apartment buildings to the north and to the west as well as from the residential hotel to the east, it would not degrade or obstruct any public vistas that exist now. In addition, this project would not obstruct any scenic public view corridor such as along Ellis Street.

This blockage of light could be of concern to adjacent property owners and residents as there are numerous lot line windows along the project site boundaries. These lot line windows may be a design issue relevant to the Planning Commission's consideration of the project sponsor's application for conditional use authorization. However, the potential changes in views and air circulation would not be considered significant environmental effects since they would be localized and would result in conditions that are common and accepted in urban neighborhoods. (For further information regarding changes to light and air experienced by adjacent residents, see the air quality discussion below). For the reasons described above, the proposed project would result in a significant impact to visual resources.

3)	**Population**. Could the project:	Yes	No	Discussed
(a)	Induce substantial growth or concentration of population?	__	X	X
(b)	Displace a large number of people (involving either housing or employment)?	__	X	X
(c)	Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	__	X	__

As stated earlier, the I-Kuan-Tao conferences and the SOAR programs which currently exist on-site and would continue to function when the proposed project would be completed. As such, there would not be a displacement issue. However, the projected attendance to these programs would increase once this project is completed. Currently, less 10 individuals attend each I-Kuan-Tao conference. Once the project is completed, it is estimated that there would be a maximum of 50 to 70 individuals that would be participating in each I-Kuan-Tao conference which would last approximately 10 to 15 days. Approximately 20 to 30 individuals would be participating in each SOAR program which would last approximately 11 weeks. Under the "worst-case" scenario, this project would increase the on-site population by about 60 individuals. The project would also result in the site being occupied 24-hours a day instead of during the daytime only. While potentially noticeable to immediately adjacent neighbors, this increase would not substantially increase the existing area-wide population and is not considered to be a significant environmental impact.

4)	**Transportation/Circulation**. Could the project:	Yes	No	Discussed
(a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	__	X	X
(b)	Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?	__	X	__
(c)	Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?	__	X	X
(d)	Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?	__	X	X

Ellis Street is a one-way local street with three eastbound lanes. It has one hour metered parking on both curbs with the exception of a 30-minute metered loading space and a passenger loading zone in front of the project site. Jones Street is a one-way local street with three southbound travel lanes with one-hour metered parking along each curb. Taylor Street is a one-way local street with three southbound lanes. There is one-hour metered parking on each side of Taylor Street. Parking in the area is saturated.

Traffic

Participants of either the I-Kuan-Tao or the SOAR programs would not be expected to have the monetary resources to rent vehicles or charter busses. Therefore, the majority of trips originating at the project would be via public transit or walking. The participants of the I-Kuan-Tao may walk to Union Square or take a bus or cable car to Fisherman's Wharf. Likewise, a participant of the SOAR program might take a streetcar to classes at San Francisco State University and might walk to a local restaurant for an evening meal. As alluded to earlier, the most intensive utilization of the proposed project site would be the I-Kuan-Tao program with 70 participants which is 60 greater than the number of participants the site can currently accommodate. It is estimated that each individual would make a four daily trips, two for meals and two for excursions. This would result in a total of 280 daily trips being generated by the program participants, 240 more than under the existing program. It is also anticipated that the owner and three program coordinators

would drive in separate automobiles which would be parked in the basement. As the owner and the program coordinators would arrive in the morning and depart in the evening and would depart the site once during for lunch and/or errands, these would constitute as 16 person-trips (and 16 vehicular trips). Catered meals would be served approximately two times a week.[2] Hence, that would be equivalent to 0.6 trips per day. A total of 256 daily trips would be generated by the proposed site. Based on information provided by the project sponsor, it is estimated that about 30 percent or 77 of these daily trips would be made during the PM peak hour. These trips would be distributed among three modes of transportation: automobile, public transit, and walking. As most of the 77 P.M peak-hour trips would not be by private vehicle, the increase in traffic would not be a significant traffic increase relative to the existing capacity of the local street system. The project would add a small increment to the cumulative long-term traffic increase on the local roadway network. The change in area traffic as a result of the project would be undetectable to most drivers.

Transit

The project-generated peak-hour project trips utilizing public transit would be distributed among the MUNI transit lines providing service to a 2-block radius of the project site. The lines include the 19-Polk, 27-Bryant, 31-Balboa, 38-Geary, 38L-Geary Limited, the Powell/Mason Cable Car, and the Powell/Hyde Cable Car. The 19-Polk travels southbound on Polk Street and northbound on Larkin Street. The northbound 27-Bryant travels westbound on Ellis Street turning northbound on Leavenworth Street. The southbound 27-Bryant travels southbound on Jones Street turning eastbound on O'Farrell Street. The 31-Balboa travels westbound on Turk Street and eastbound on Eddy Street. The 38-Geary travels westbound on Geary Street and eastbound on O'Farrell Street. The Powell/Mason Cable Car and the Powell/Hyde Cable Car travel on Powell Street. Together, these lines provide approximately 51 transit vehicles during the PM peak hour. The project transit trips would be spread among these transit vehicles, thereby insubstantially contributing to crowding on transit vehicles.

Parking

The proposed building involves demolition of a building containing no off-street parking spaces and the construction of a new building containing eight off-street spaces. Planning Code Section 161(e) states the no off-street parking would be required for any principal use in an RC-4 District if the occupied floor area of that use does not exceed 10,000 square feet. As the project would have an occupied floor area of 34,000 square feet, Section 161(e) exemption would not be applicable. Planning Code Table 151 states that for group housing of any type requires one space for each three bedrooms or for each six beds, whichever results in the greater requirement. As stated earlier, this building would have 53 bedrooms, which would result in a parking requirement of 17.7 or 17 spaces. The building would have 86 beds, which would result in a parking requirement of 14.3 or 14 spaces. As 17 is greater than 14, the parking requirement for this project is 17 spaces. As stated earlier, the proposed project would have an eight-space basement-level parking garage for employees. This results in a parking shortfall of nine spaces. The project sponsor would therefore be required to seek and justify a variance for a parking shortfall.

As stated earlier, the site owner, the three program coordinators and a small number of visitors would be the only people who are expected to be driving to the proposed project. As such, the eight spaces that the proposed project has in the basement-level garage would be sufficient to handle the parking demand generated by this project.

In the vicinity of the project, there is very little parking availability as most of the on-street parking spaces are occupied. Nevertheless, the project's impact on area parking availability would not be significant. The eight parking spaces provide in the basement garage are for the owners and the employees. The attendees to these programs are not expected to be driving vehicles and would not have impact on the parking in the surrounding neighborhood.

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[2] Telephone conversation between Chow and Tim Blomgren, San Francisco Planning Department. August 16, 2001.

Loading/Unloading

According to Table 152 of the Planning Code, no loading/unloading spaces would be required as the total floor area of the proposed project is less than 100,000-square-feet. As such, no loading would be provided with this project. Loading/unloading would take place in the basement-level garage. A delivery vehicle would arrive at the proposed building, take the carlift elevator down to the basement, and park in one of the underground spaces. The goods would then be taken via elevator to the first floor and thence to the appropriate location within the conference center.[3] An alternative would be to unload the goods in the loading zone on the street in front of the project.

Construction Period Impacts

During the 8- to 12-month construction period, temporary and intermittent traffic and transit impacts would result from truck movements to and from the project site. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks. These effects would be reduced by the project sponsor as it is the sponsor's intent to restrict project-related truck traffic to non-peak hours, subject to the approval of the Department of Parking and Traffic (DPT). The project sponsor has agreed to meet with MUNI, DPT, and other responsible agencies to coordinate construction activities so as to minimize construction impacts on vehicular and pedestrian traffic.

Temporary parking demand from construction workers' vehicles, and impacts on local intersections from construction worker traffic, would occur in proportion to the number of construction workers who would use automobiles. Traffic would be temporary and intermittent and would therefore be considered less than significant. The size of the project site is sufficient to accommodate parking of construction workers' vehicles on the project site itself. Construction-related impacts on parking would therefore not occur because of this on-site parking.

5)	Noise. Could the project:	Yes	No	Discussed
(a)	Increase substantially the ambient noise levels for adjoining areas?	__	X	X
(b)	Violate Title 24 Noise Insulation Standards, if applicable?	__	X	X
(c)	Be substantially impacted by existing noise levels?	__	X	__

As in most areas of San Francisco, ambient noise levels in the vicinity of the project site are largely a function of automobile traffic. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

Title 24 of the California Code of Regulations establishes uniform noise insulation standards for residential projects (including hotels and motels). The Department of Building Inspection would review the final building plans to insure that the building wall and floor/ceiling assemblies meet State standards regarding sound transmission.

The Department of Building Inspection (DBI) is responsible for enforcing the Noise Ordinance for private construction projects during normal business hours (8:00 A.M. to 5:00 P.M.). The Police Department is responsible for enforcing the Noise Ordinance during all other hours. The increase in noise in the project

[3] Joseph Chow, Project Sponsor, Phone Message to Tim Blomgren, San Francisco Planning Department, November 4, 2002.

area during project construction would not be considered a significant impact of the proposed project because the construction noise would be temporary and restricted in occurrence and level, as DBI and the Police Department would require the construction contractor to comply with regulations regarding construction noise.

6)	**Air Quality/Climate**. Could the project:	Yes	No	Discussed
(a)	Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	__	X	X
(b)	Expose sensitive receptors to substantial pollutant concentrations?	__	X	__
(c)	Permeate its vicinity with objectionable odors?	__	X	__
(d)	Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	__	X	X

The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring its review for potential air quality impacts from project operations, including traffic generated by proposed land uses. These thresholds are based on the minimum size projects which the District considers capable of producing air quality problems. The project would not exceed this minimum standard. Therefore, no significant air quality impacts would be generated by the proposal.

Grading, excavation, and construction activity on the proposed project sites could temporarily raise dust levels in the area, affecting local air quality. In order to reduce the quantity of dust generated during the site preparation and construction, the project sponsor has agreed to require the project contractor to spray the site with water at least twice daily and implement other measures (See Mitigation Measure #1, p. 19).

Section 295 of the City Planning Code was adopted in response to Proposition K (passed November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year round. Section 295 restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet unless the Planning Commission finds the impact to be insignificant. To determine whether this project would conform with Section 295, an initial shadow fan analysis was prepared. This initial shadow analysis determined that the proposed project had the potential to cast new shadow on Boeddeker Park. However, based on new information provided by the consultant and modifications to the design, another analysis conducted by the Pacific Gas and Electric Company determined that the project shadow would not introduce any additional shadows to Boeddeker Park.[4] (A copy of the shadow fan analysis is available for review at the Planning Department, 1660 Mission Street as part of case file number 2001.0283K). The San Francisco Planning Department concurs with this finding.[5] Therefore, the project would not result in any significant shadow impacts.

[4] Ryan Stoupe, Pacific Gas and Electric Company, Solar Analysis of Proposal for 386 Ellis Street, November 8, 2001.

[5] Letter from Michael Li, San Francisco Planning Department, to Chow, October 10, 2002.

7)	**Utilities/Public Services**. Could the project:	Yes	No	Discussed
(a)	Breach published national, state or local standards relating to solid waste or litter control?	__	X	__
(b)	Extend a sewer trunk line with capacity to serve new development?	__	X	__
(c)	Substantially increase demand for schools, recreation or other public facilities?	__	X	X
(d)	Require major expansion of power, water, or communications facilities?	__	X	X

The proposed project would increase demand for and use of public service and utilities on the site, but not in excess of amounts accepted and provided for in this area. The project-generated demand for electricity would be negligible in the context of the overall demand within San Francisco and the State, and would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the proposed project would not result in a significant physical environmental effect.

8)	**Biology**. Could the project:	Yes	No	Discussed
(a)	Substantially affect a rare or endangered species of animal or plant or the habitat of the species?	__	X	X
(b)	Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	__	X	X
(c)	Require removal of substantial numbers of mature, scenic trees?	__	X	__

As the site is covered with an existing building and is within a developed area of the City, it does not provide habitats for any rare or endangered plant or animal species. No other important biological resources are likely since the site has been disturbed by human and domestic animals.

9)	**Geology/Topography**. Could the project:	Yes	No	Discussed
(a)	Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction).	__	X	X
(b)	Change substantially the topography or any unique geologic or physical features of the site?	__	X	__

This project site's elevation is 75 feet above sea level. The *San Francisco General Plan* Community Safety Element contains maps that show areas of the City subject to geologic hazards. The project site is located in an area subject to groundshaking from earthquakes along the San Andreas and Northern Hayward Faults and other faults in the San Francisco Bay Area (Maps 2 and 3 of the Community Safety Element). The site is also located in a Seismic Hazards Study Zone in an area of liquefaction potential designated by the California Division of Mines and Geology (Map 4).

The final building plans would be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, the DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspectors' working knowledge of areas of special geologic concern. If the need were indicated by available information, DBI would require that site-specific soils reports be prepared by a California-licensed geotechnical engineer prior to construction. Therefore,

potential damage to structures from geologic hazards on a project site would be mitigated through the DBI requirement for a geotechnical report and review of the building permit application pursuant to DBI implementation of the Building Code.

This project would involve excavation of 4,736 cubic feet for a 10-foot-deep underground garage. According to the project sponsor, because the site is located 87 feet above sea level and because the site is located a long distance from any bay fill, the depth of groundwater at this site is substantially lower than the proposed excavation.[6] Therefore, it is anticipated that ground water would not be reached during excavation.

However, any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Systems Planning, Environment and Compliance of the S.F. Public Utilities Commission must be notified of projects necessitating dewatering, and may require water analysis before discharge. Should dewatering be necessary, the final soils report would address the potential settlement and subsidence impacts of this dewatering. Based upon this discussion, the report would contain a determination as to whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey is recommended, the Department of Public Works would require that a Special Inspector (as defined in Article 3 of the Building Code) be retained by the project sponsor to perform this monitoring.

10)	**Water**. Could the project:	Yes	No	Discussed
(a)	Substantially degrade water quality, or contaminate a public water supply?	_	X	_
(b)	Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	_	X	_
(c)	Cause substantial flooding, erosion or siltation?	_	X	X

Currently, most of the project site is covered by an existing building. The project would not substantially increase the amount of impervious surface area, and would not measurably increase storm water runoff.

11)	**Energy/Natural Resources**. Could the project:	Yes	No	Discussed
(a)	Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	_	X	X
(b)	Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	_	X	_

The project would meet current state and local codes concerning energy consumption. For this reason, it would not cause a wasteful use of energy, and the effect would not be significant.

[6]Phone conversation between project sponsor, Joseph Chow and project planner, Tim Blomgren, September 3, 2002.

12)	**Hazards**. Could the project:	Yes	No	Discussed
(a)	Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	___	X	X
(b)	Interfere with emergency response plans or emergency evacuation plans?	___	X	_
(c)	Create a potentially substantial fire hazard?	___	X	_

Former uses of this building are that of a produce market and a second hand store. As stated earlier, current use of the building is a religious/educational conference facility. Immediately to the east of the site, there is a dry cleaning/laundry establishment which sends out items to be washed as opposed to washing them on-site. As such, there would be no anticipated toxic residue from any dry cleaning/laundry activities, or activities conducted on-site.

Asbestos

Asbestos-containing materials may be found within the existing structure on site which was constructed in 1919 and which is proposed to be demolished as part of the project. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The Bay Area Air Quality Management District (BAAQMD) is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/altered including size, age and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District will inspect any removal operation concerning which a complaint has been received.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material is required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, the Department of Building Inspection (DBI) would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would insure that any potential impacts due to asbestos would be reduced to a level of insignificance.

Lead-Based Paint

Lead-based paint may be found in the existing building which was constructed in 1919 and is proposed for demolition as part of the project. Demolition must comply with Chapter 36 of the San Francisco Building Code, Work Practices for Exterior Lead-Based Paint. Where there is any work that may disturb or remove lead-based paint on the exterior of any building built prior to December 31, 1978, Chapter 36 requires specific notification and work standards, and identifies prohibited work methods and penalties.

Chapter 36 applies to buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces), where more than ten total square feet of lead-based paint would be disturbed or removed. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the HUD Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work. The ordinance also includes notification requirements, contents of notice, and requirements for signs. Notification includes notifying bidders for the work of any paint-inspection reports verifying the presence or absence of lead-based paint in the regulated area of the proposed project. Prior to commencement of work, the responsible party must provide written notice to the Director of the Department of Building Inspection, of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is residential or nonresidential, owner-occupied or rental property, approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include Sign When Containment is Required, Notice by Landlord, Required Notice to Tenants, Availability of Pamphlet related to protection from lead in the home, Notice by Contractor, Early Commencement of Work [by Owner, Requested by Tenant], and Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures by the San Francisco Building Code would ensure that potential impacts of demolition, due to lead-based paint, would be reduced to a level of insignificance.

		Yes	No	Discussed
13)	**Cultural.** Could the project:			
(a)	Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study?	_	X	X
(b)	Conflict with established recreational, educational, religious, or scientific uses of the area?	_	X	X
(c)	Conflict with the preservation of buildings subject to the provisions of Article 10 or Article 11 of the City Planning Code?	_	X	X

Archeological Resources

This project would involve excavation of a subterranean garage to a depth of 10 feet which is depth greater than that of the existing building. As such, there is potential for encountering subsurface archeological resources. In the unlikely event that archeological resources are encountered, they would be handled in a manner prescribed in Mitigation Measure Number 2 on page 20. Implementation of this measure would reduce potential impacts on archeological resources to a less than significant level.

Historical Structures

Although the existing building was constructed in 1919, it is not listed in Article 10 or 11 of the Planning Code and does not meet the definition of an historical resource under CEQA. Thus, effects on cultural resources would not be considered significant. Design compatibility and other subjective issues of aesthetics will be considered further during the Planning Commission's consideration of the project sponsor's application for conditional use authorization

OTHER	YES	NO	DISCUSSED
Require approval and/or permits from City Departments other than Department of City Planning or Bureau of Building Inspection, or from Regional, State or Federal Agencies?	_	X	___

The proposed project will require conditional use authorization from the Planning Commission, in addition to approval of building permits by the Planning Department, Department of Building Inspection, and the Fire Department. Any sidewalk encroachments (e.g., temporary construction barricades or permanent driveways) would require approval from the Department of Public Works. While local concerns or other planning considerations may be ground for modification or denial of the proposal, in the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

PUBLIC NOTICE

A Notification of Project Receiving Environmental Review was mailed on March 15, 2001 to the owners and occupants of properties adjacent to the project site, as well as property owner within 300 feet of the site boundaries and other potentially interested parties in the Downtown/Civic Center neighborhood as well as citywide. There was no response from this notification.

MITIGATION MEASURES

In the course of project planning and design, measures have been identified that would reduce or eliminate potential environmental impacts of the project. Some of these measures have been, or would be, adopted by the project sponsor and, therefore, are proposed as part of the project; some are under consideration. Measures discussed below would avoid potentially significant impacts.

The following mitigation measures, which have been agreed to by the project sponsor, are necessary to avoid potential significant effects of the project.

MITIGATION MEASURE #1: CONSTRUCTION AIR QUALITY.

The project sponsor would require the contractor(s) to spray the site with water during demolition, excavation, and construction activities; spray all construction areas with water at least twice per day or as necessary to prevent visible dust from migration off-site; cover, keep moist, or apply dust suppressants to stockpiles of soil, sand, and other material; mist or spray water while loading trucks for off-site disposal; cover trucks hauling debris, soils, sand or other such material; clean wheels of trucks carrying excavated soil prior to exiting onto public streets and sweep surrounding streets daily if visible soil material is present; and suspend excavation and grading activities when winds exceed 20 miles per hour.

Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor would require that the contractor(s) obtain

reclaimed water from the Clean Water Program for this purpose. The project sponsors would require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

MITIGATION MEASURE #2: ARCHEOLOGICAL RESOURCES.

The project sponsor shall distribute the attached "ALERT SHEET" to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities firm involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the ALERT SHEET is circulated to all field personnel including, machine operators, field crew, pile drivers, supervisory personnel, etc.. The Head Forman or other responsible party shall provide the Environmental Review Officer (ERO) with a signed affidavit to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Forman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures, if any, should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging activities.

The project archeological consultant shall prepare a Final Archeological Resources Report (FARR) evaluating the historical importance of the archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s). Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (1 copy) and the President of the Landmarks Preservation Advisory Board (1 copy). The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

ON THE BASIS OF THIS INITIAL STUDY

___ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Department of City Planning.

_X_ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures, numbers __1-2__, in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

___ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

PAUL MALTZER
Environmental Review Officer

for

Gerald G. Green
Director of Planning

DATE: November 6, 2002